

Approved For Release 2004/03/15 : CIA-RDP80M00165A001800070009-0

Executive Registry
77-7250/A

NOV. 1977

Honorable Melvin Price, Chairman  
Committee on Armed Services  
House of Representatives  
Washington, D.C. 20515

*Congress*

Dear Mr. Chairman:

This is in response to your letter of 14 April 1977 requesting the views and recommendations of this Agency on H.R. 6234, a bill to amend the National Security Act of 1947, as amended, to provide criminal penalties for the unauthorized disclosure of intelligence sources and methods.

As I indicated during my confirmation hearings before the Senate Select Committee on Intelligence on 22 February 1977, and on occasions since then, action must be taken to protect against the unauthorized disclosure of information related to intelligence sources and methods. It is essential to avoid continued serious damage to the Government's foreign intelligence program. However, the sure and certain penalties, such as those embodied in this legislation would be, in my view, only one alternative method to protect the Government against those individuals who would breach their relationship of trust with the Government by disclosing sensitive information related to intelligence sources and methods. Other solutions might include:

- Reducing the total amount of classified material we have. In many ways, the proliferation of material has caused personnel to take high levels of classification for granted and become careless in the procedures.
- Restricting to a bare minimum access to the highest levels of sensitive information.
- Developing a range of administrative and/or civil sanctions to apply in cases of unauthorized disclosure.

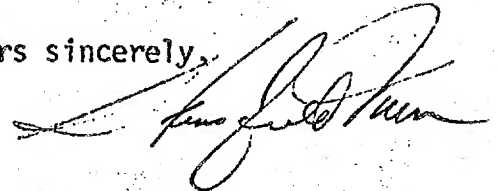
EXECUTIVE REGISTRY

*Congress*

All of these options relating to protection of intelligence sources and methods, including possible legislation, are presently under consideration in the Executive branch by a group under the direction of the Attorney General. Concurrently, the Senate Select Committee on Intelligence is studying legislation on this subject. I will welcome the opportunity to meet with you at the appropriate time in this process after recommendations have been developed. Until that time, however, although I fully support the objective reflected in this legislation, I would defer stating this Agency's position on H.R. 6234.

The Office of Management and Budget has advised there is no objection to the submission of this report from the standpoint of the Administration's program.

Yours sincerely,



STANSFIELD TURNER

Distribution:

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ER

# ROUTING AND RECORD SHEET

SUBJECT: (Optional)

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Executive Registry

77-1234

FROM:

Legislative Counsel  
6C19 HQ

EXTENSION

NO.

DATE

21 April 1977

STAT

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across columns after each comment.)

1.

Bill Bader

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15.

Your review and concurrence on the attached views letter is requested. The bill, H.R. 6234 which would provide criminal penalties for the unauthorized disclosure of intelligence sources and methods, is identical to H.R. 12006, the sources and methods bill introduced in the last Congress. Please provide any comments you may have by Wednesday, 4 May. Thank you.

Office of Legislative Counsel

FORM 3-62

610

USE PREVIOUS EDITIONS

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**DRAFT**

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21 1977  
OLC 77-1521/b

Honorable Melvin Price, Chairman  
Committee on Armed Services  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of 14 April 1977 requesting the views and recommendations of this Agency on H.R. 6234, a bill to amend the National Security Act of 1947, as amended, to provide criminal penalties for the unauthorized disclosure of intelligence sources and methods.

As I indicated during my confirmation hearings before the Senate Select Committee on Intelligence on 22 February 1977, and on occasions since then, a law to protect against the unauthorized disclosure of information related to intelligence sources and methods is essential to avoid continued serious damage to the Government's foreign intelligence program. Criminal penalties, such as those embodied in H.R. 6234, would be, in my view, an effective method to protect the Government against those individuals who would violate oaths they had taken as a condition to receiving, in the course of their relationship of trust with the Government, sensitive information reflected in H.R. 6234 and related to intelligence sources and methods. This concept, which was contained in legislation submitted by former President Ford in his message to Congress of 18 February 1976, merits the serious consideration of both the Congress and the Executive.

Legislation relating to protection of intelligence sources and methods in the Executive branch is presently under consideration/by the PRM/NSC-11 Subcommittee under the direction of the Attorney General. Concurrently, the Senate Select Committee

on Intelligence is studying legislation on this subject. I will welcome the opportunity to meet with you at the appropriate time in this process after recommendations have been developed. Until that time, however, although I fully support the concepts reflected in this legislation, I would defer offering this Agency's endorsement to H.R. 6234.

The Office of Management and Budget has advised there is no objection to the submission of this report from the standpoint of the Administration's program.

Yours sincerely,

STANSFIELD TURNER  
Admiral, U.S. Navy

95TH CONGRESS  
1ST SESSION

# H. R. 6234

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1977

Mr. ASHBROOK introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

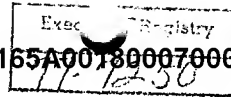
To amend the National Security Act of 1947, as amended, and  
for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 102 of the National Security Act of 1947, as  
4       amended, (50 U.S.C.A. 403) is further amended by adding  
5       the following new subsection (g) :

6       “(g) In the interests of the security of the foreign  
7       intelligence activities of the United States, and in order  
8       further to implement the proviso of section 102 (d) (3) of  
9       the Act that the Director of Central Intelligence shall be  
10      responsible for protecting intelligence sources and methods  
11      from unauthorized disclosure—

CHARLES E. BENNETT, FLA.  
SAMUEL S. STRATTON, IN.  
RICHARD H. ICHORD, MO.  
LUCIEN N. NEDZI, MICH.  
CHARLES H. WILSON, CALIF.  
ROBERT L. LEGGETT, CALIF.  
RICHARD C. WHITE, TEX.  
BILL NICHOLS, ALA.  
JACK ZINKLEY, GA.  
ROBERT H. (BOB) MOLLOHAN, W. VA.  
DAN DANIEL, VA.  
G. V. (SONNY) MONTGOMERY, MISS.  
HAROLD RUNNELS, N. MEX.  
LES ASPIN, WIS.  
RONALD V. DELLUMS, CALIF.  
MENDEL J. DAVIS, S.C.  
PATRICIA SCHROEDER, COLO.  
ABRAHAM KAZEN, JR., TEX.  
ANTONIO B. WON PAT, GUAM  
BOB CARR, MICH.  
JIM LLOYD, CALIF.  
LARRY McDONALD, GA.  
THOMAS J. DOWNEY, N.Y.  
GOODLOE E. BYRON, MD.  
CHARLES WHITLEY, N.C.  
RICHARD A. TONRY, LA.

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## U.S. House of Representatives

COMMITTEE ON ARMED SERVICES

Washington, D.C. 20515

NINETY-FIFTH CONGRESS

MELVIN PRICE, CHAIRMAN

April 14, 1977

BOB WILSON, CALIF.  
WILLIAM L. DICKINSON, ALA.  
G. WILLIAM WHITEHURST, VA.  
FLOYD O. SPENCE, S.C.  
DAVID C. TREAN, LA.  
ROBIN L. BEARD, TENN.  
DONALD J. MITCHELL, N.Y.  
MARJORIE S. HOLT, MD.  
ROBERT W. DANIEL, JR., VA.  
ELWOOD H. (BUD) HILLIS, IND.  
DAVID F. EMERY, MAINE  
PAUL S. TRIBBLE, JR., VA.  
ROBERT E. BATHAM, CALIF.

JOHN J. FORD, STAFF DIRECTOR

Honorable Stansfield Turner  
Director  
Central Intelligence Agency  
Washington, D. C. 20505

Dear Mr. Turner:

The views and recommendations of the Central Intelligence  
Agency are requested on H.R. 6234, copies of which are enclosed.

Sincerely,

Melvin Price  
Chairman

MP:ik  
Enclosures

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# EXECUTIVE SECRETARIAT

## Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	D/DCI/IC				
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/NI				
9	GC				
10	LC	✓			
11	IG				
12	Compt				
13	D/Pers				
14	D/S				
15	DTR				
16	Asst/DCI				
17	AO/DCI				
18	C/IPS				
19	DCI/SS				
20	D/EE0				
21					
22					
SUSPENSE		25 Apr Date			

Remarks:

Prepare appropriate response  
for DCI signature.

D/ [Signature] 18 Apr  
Date

3637 (7-76)

Congress

STAT